

**REMARKS**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

**Status of Claims:**

No claims are currently being cancelled.

Claims 1, 9, 11 and 13 are currently being amended.

No claims are currently being added.

This amendment amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-20 are pending in this application.

**Claim Rejections – Prior Art:**

In the Office Action dated May 26, 2005, claims 1-3, 6-10, 13-15 and 18-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,016,505 to Badovinat; and claims 4, 5, 11, 12, 16 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Badovinat in view of U.S. Patent No. 6,694,450 to Kidder et al. These rejections are rejected with respect to the presently pending claims under rejection, for at least the reasons given below.

Presently pending independent claims 1, 9 and 13 have each been amended to explicitly recite that the distributed system includes a plurality (e.g., more than one) of processes currently operational therein, whereby a probationary process is set up by in the system by establishing a respective communications path with each of the other processes in the system. Then, at least one criterion for promoting the probationary member to a full member is evaluated, based on information obtained from the probationary member on the plurality of communication paths.

In Badovinat, on the other hand, as clearly shown in Figure 12 of that reference and as described in column 14 of that reference, a new process first must initiate a request to join to one entity, that being the Group Leader, whereby the new request is prescreened by the

Group Leader in step 1216. In that regard, even if the new request could be considered to be a probationary process prior to and during step 1216, that new request does not communicate with all other existing processes, but rather it communicates only with the Group Leader, which is the sole entity that prescreens the new request.

The presently pending independent claims have each been amended to clearly recite that each of the processes in the distributed system receives information from the probationary process, whereby an evaluation is made based on the information sent from the probationary process to these other existing processes.

Since Badovinatz does not teach or suggest such a system, and since Kidder et al. does not rectify the above-mentioned shortcomings of Badovinatz, the presently pending claims are all believed to patentably distinguish over the combined teachings of these two references.

**Conclusion:**

Since each of the issues raised in the final Office Action have been addressed in this Amendment and Reply, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date September 19, 2005

By William T. Ellis

HEWLETT-PACKARD COMPANY  
Customer No.: 22879  
Telephone: (202) 672-5485  
Facsimile: (202) 672-5399

William T. Ellis  
Registration No. 26,874

Phillip J. Articola  
Registration No. 38,819